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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,820	02/03/2004	Koichiro Tanaka	740756-2709 9528	
22204 75	90 08/08/2006		EXAMINER	
NIXON PEABODY, LLP 401 9TH STREET, NW			HEINRICH, SAMUEL M	
SUITE 900	EI, NW		ART UNIT PAPER NUMBER	
WASHINGTON	WASHINGTON, DC 20004-2128		1725	
			DATE MAILED: 08/08/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	La estre Ma	A (! 4/ ·)				
	Application No.	Applicant(s)				
Office Antique Geometry	10/769,820	TANAKA, KOICHII	RO			
Office Action Summary	Examiner	Art Unit				
	Samuel M. Heinrich	1725				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence ad	dress			
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period v - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim rill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	J. lely filed the mailing date of this co D (35 U.S.C. § 133).	,			
Status						
Responsive to communication(s) filed on This action is FINAL. 2b)⊠ This Since this application is in condition for allowar closed in accordance with the practice under E	action is non-final. nce except for formal matters, pro		merits is			
Disposition of Claims						
4) ☐ Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-15 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or Application Papers 9) ☐ The specification is objected to by the Examine 10) ☐ The drawing(s) filed on 03 February 2004 is/are Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) ☐ The oath or declaration is objected to by the Ex	vn from consideration. r election requirement. r. e: a)⊠ accepted or b)□ objected drawing(s) be held in abeyance. See ion is required if the drawing(s) is objected to the drawing(s) i	37 CFR 1.85(a). ected to. See 37 CF	R 1.121(d).			
Priority under 35 U.S.C. § 119						
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 10/170,739. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal Pa	te	-152)			

Application/Control Number: 10/769,820

Art Unit: 1725

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by JP410116801A. See the Abstract and Figures 5 and 6.

Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 4,724,222 to Feldman. Feldman describes (column 6, lines 11-20) a concave wafer chuck used with an energy beam apparatus.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of USPN 5,907,770 to Yamazaki et al and in view of USPN 4,724,222 to Feldman. AAPA discloses (Specification "Description of the Related Art" pp. 2-9, and Figures 2 and 3) well known laser annealing apparatus, but do not describe the means for expanding and condensing the beam or the cylindrical shaped stage. Yamazaki et al show (Figures 13 and 14) well known means

Art Unit: 1725

for expanding and condensing the beam and the use of well known beam modification apparatus would have been obvious at the time applicant's invention was made to a person having ordinary skill in the art because the means for expanding and condensing provide energy for annealing silicon. Feldman describes (column 6, lines 11-20) a concave wafer chuck used with an energy beam apparatus. The use of the concave chuck surface would have been obvious at the time applicant's invention was made to a person having ordinary skill in the art because the curved surface provides precise relationship with a reference surface for high-resolution patterning techniques.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel M. Heinrich whose telephone number is 571-272-1175. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, P. Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/769,820

Art Unit: 1725

Page 4

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Samuel M Heinrich Primary Examiner Art Unit 1725